

**Board of Directors**

Board Co-President

Mira El Sonbaty  
Fox Corporation

Board Co-President

Diana Hughes Leiden  
Winston & Strawn LLP

Board Treasurer

Edie Mermelstein, Esq.  
FEM Law Group

Board Secretary

Pamela Palmer  
Troutman Pepper

Immediate Past-President

Lois Thompson  
Proskauer Rose LLP

Members

Thea S. Alli  
Morgan Lewis

Stacey Armato

Atlantic Investors

Tony Blain

Blain & Associates

Christa M. Demeke

The Wonderful Company

Theane Evangelis

Gibson, Dunn & Crutcher LLP

Kevin Feldman

Feldman Capital LLC

Kerry C. Fowler

Jones Day

Victor George

Law Offices of Victor L. George

Vanessa Gomez

Kirkland & Ellis

Genie Harrison

Genie Harrison Law Firm

Esra Hudson

Manatt, Phelps & Phillips LLP

Bethany Kristovich

Munger, Tolles & Olson LLP

Laura Lively

King & Spalding

Jessica Ludd

UNAC/UHCP

Anna Menedjian

2020 Inc.

Kim Nakamaru

Global Eagle Entertainment

Amy Quartarolo

Latham & Watkins LLP

Karen Rigberg

Arnold & Porter

Executive Director

Betsy Butler

April 6, 2021

The Honorable Mark Stone  
Chair, Assembly Judiciary Committee  
State Capitol, Room 104  
Sacramento, CA 95814

**RE: Assembly Bill 849 (Reyes) – Support**

Dear Assemblymember Stone:

On behalf of the California Women's Law Center, we write in support of AB 849 which will help protect the rights of nursing home residents by restoring their ability to seek damages for each violation they experience.

Under the Long-Term Care Act, a current or former nursing home resident may bring a civil action against a nursing home that violates their rights. Last year, the California Supreme Court held that the maximum a victim could recover was \$500, regardless of how many violations the resident suffered or their severity. As noted in the dissent, capping damages at \$500 is "plainly insufficient to fulfill the statute's purpose to deter and remedy violations of nursing home patients' rights."

Years of lax enforcement and the Supreme Court's ruling have left residents without anywhere to turn to protect their rights by rendering the Long-Term Care Act toothless. The pandemic has underscored and added to the levels of isolation, fear, sickness and death that has taken place in California's nursing homes, with complaints against these facilities at an all-time high.

Nursing homes are now free from consequence for violations, often sending resident victims a \$500 check which essentially gives these facilities a "pass" to commit multiple violations. AB 849 will deter violations of residents' rights by restoring nursing home patients' ability to seek damages for each violation they have suffered.

CWLC's mission is to create a more just and equitable society by breaking down barriers and advancing the potential of women and girls through transformative litigation, policy advocacy, and education. AB 849 will help ensure that nursing home residents have a more powerful and effective path to justice.

For these reasons, the California Women's Law Center supports AB 849.

Sincerely,



Betsy Butler  
Executive Director

360 North Pacific Coast Highway, Suite 2070 | El Segundo, CA 90245

Phone: 323-951-1041 | Email: cwlc@cwlc.org

www.cwlc.org